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**U.S. District Court
Southern District of Florida (Ft. Lauderdale)
CIVIL DOCKET FOR CASE #: 0:09-cv-60847-WPD**

Nolan et al v. United States Department of Health & Human
Services et al
Assigned to: Judge William P. Dimitrouleas
Referred to: Magistrate Judge Lurana S. Snow
Cause: 05:0552 Freedom of Information Act

Date Filed: 06/05/2009
Date Terminated: 03/11/2010
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Kenneth J. Nolan

represented by **Kenneth Joseph Nolan**
Nolan & Auerbach, P.A.
435 N Andrews Avenue
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LEAD ATTORNEY
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Plaintiff

Marcella Auerbach

represented by **Kenneth Joseph Nolan**
(See above for address)
LEAD ATTORNEY
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Marcella Cohen Auerbach
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Nolan & Auerbach, P.A.
formerly known as
Kenneth J. Nolan

represented by **Kenneth Joseph Nolan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marcella Cohen Auerbach
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**United States Department of Health &
Human Services**

represented by **Carole M. Fernandez**
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Fax: 305-530-7139
Email: Carole.Fernandez@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Centers for Medicare & Medicaid
Services**

represented by **Carole M. Fernandez**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/05/2009	<u>1</u>	COMPLAINT for declaratory and injunctive relief against United States Department of Health & Human Services, Centers for Medicare & Medicaid Services Filing fee \$ 350.00. Receipt#: 1002332, filed by Kenneth J. Nolan, Marcella Auerbach, Nolan & Auerbach, P.A..(rb) (Entered: 06/05/2009)
06/05/2009	<u>2</u>	Summons Issued as to United States Department of Health & Human Services, Centers for Medicare & Medicaid Services, Nolan & Auerbach, P.A.. (rb) (Entered: 06/05/2009)
06/05/2009		Magistrate Judge Lurana S. Snow added. (mb) (Entered: 06/08/2009)
06/05/2009	<u>3</u>	Order Requiring Counsel to Meet, File Joint Scheduling Report and Joint Discovery Report. Signed by Judge William P. Dimitrouleas on 6/5/2009. (ail) (Entered: 06/08/2009)
07/13/2009	<u>4</u>	Unopposed MOTION for Extension of Time to File Answer as to <u>1</u> Complaint, by United States Department of Health & Human Services, Centers for Medicare & Medicaid Services. (Attachments: # <u>1</u> Text of Proposed Order)(Fernandez, Carole) (Entered: 07/13/2009)
07/14/2009	<u>5</u>	ORDER granting <u>4</u> Motion for Extension of Time to Respond re <u>4</u> Unopposed MOTION for Extension of Time to File Answer as to <u>1</u> Complaint, Responses due by 8/12/2009. Signed by Judge William P. Dimitrouleas on 7/14/2009. (vjk) (Entered: 07/15/2009)
08/12/2009	<u>6</u>	ANSWER to Complaint by United States Department of Health & Human Services, Centers for Medicare & Medicaid Services.(Fernandez, Carole) (Entered: 08/12/2009)
09/16/2009	<u>7</u>	SCHEDULING REPORT - Rule 16.1 by United States Department of Health & Human Services, Centers for Medicare & Medicaid Services. (Attachments: # <u>1</u> Text of Proposed Order)(Fernandez, Carole) (Entered: 09/16/2009)
09/17/2009	<u>8</u>	ORDER Setting Trial Date & Discovery Deadlines, Referring Case to Mediation & Referring Discovery Motions to United States Magistrate Judge: (Jury Trial set for 5/24/2010 09:00 AM in Fort Lauderdale Division before Judge William P. Dimitrouleas., Calendar Call set for 5/21/2010 10:00 AM in Fort Lauderdale Division before Judge William P. Dimitrouleas., Amended Pleadings due by 11/30/2009., Discovery due by 2/26/2010., In Limine Motions due by 5/7/2010., Motions due by 3/12/2010., Pretrial Stipulation due by 5/7/2010.), ORDER REFERRING CASE to Magistrate Judge Lurana S. Snow for all Pretrial discovery motions.. Signed by Judge William P. Dimitrouleas on 9/17/2009. (mg) (Entered: 09/18/2009)

10/02/2009	9	Joint MOTION for Extension of Time to File <i>Proposed Mediation Order</i> by United States Department of Health & Human Services, Centers for Medicare & Medicaid Services. (Attachments: # 1 Text of Proposed Order)(Fernandez, Carole) (Entered: 10/02/2009)
10/02/2009	1 0	ORDER granting 9 Motion for Extension of Time to File; The parties shall have up to and including 10/23/09, in which to agree upon a mediator and to submit a proposed order scheduling mediation. Signed by Judge William P. Dimitrouleas on 10/2/2009. (mg) (Entered: 10/02/2009)
10/23/2009	1 1	Unopposed MOTION Requesting Exemption from Mediation Requirements by Centers for Medicare & Medicaid Services, United States Department of Health & Human Services. (Attachments: # 1 Text of Proposed Order)(Fernandez, Carole) (Entered: 10/23/2009)
10/23/2009	1 2	ORDER granting 11 Motion for Exemption from Mediation Requirements. Signed by Judge William P. Dimitrouleas on 10/23/2009. (mg) (Entered: 10/26/2009)
03/11/2010	1 4	STIPULATION of Dismissal by Marcella Auerbach, Centers for Medicare & Medicaid Services, Kenneth J. Nolan, Nolan & Auerbach, P.A., United States Department of Health & Human Services (Fernandez, Carole) (Entered: 03/11/2010)
03/11/2010	1 5	Final ORDER of Dismissal with Prejudice. Case is Closed. Signed by Judge William P. Dimitrouleas on 3/11/10. (mg) (Entered: 03/12/2010)

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